

Docket No. 310493.00001

Date: March 10, 2004

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of: LAGODZINSKI, ET AL.

Application No.: 09/582,890

For: POWER OPERATED PISTON TOOL WITH PISTON AUTOMATIC RETURN

Filed: July 7, 2000

Group Art Unit: 3721

**MAIL STOP AF**

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

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MAR 16 2004  
TECHNOLOGY CENTER R3700

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated September 10, 2003 of the Primary Examiner finally rejecting Claims 1, 2, 5-8, and 11-18.

The items checked below are appropriate.

1. ☒ A Petition for an additional one month extension of time to respond to the final rejection, together with the \$ 265.00 extension fee under 37 C.F.R. § 1.17, is being filed concurrently herewith.
2. ☒ A Petition for an additional two-month extension of time to take further action, together with the \$ 155.00 extension fee under 37 C.F.R. § 1.17, was filed on February 10, 2004.

03/11/2004 MGE BREM1 00000121 501710 09582890

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3. ☒ A Petition for a one-month extension of time to take further action, together with the \$55.00 extension fee under 37 C.F.R. § 1.17, was filed on January 6, 2004.

4. ☐ Fee \$330.00

☒ Fee \$165.00 (Verified Statement claiming small entity status is enclosed, if not filed previously.)

☐ Enclosed

☐ Not required (fee paid in prior appeal)

☒ Charge to Deposit Account No. 50-1710 (One additional copy of this Notice is enclosed herewith)

5. ☒ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 50-1710. A duplicate copy of this paper is enclosed.

6. ☒ Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants  
Richard P. Bauer  
Registration No. 31,588

PATENT ADMINISTRATOR  
KATTEN MUCHIN ZAVIS ROSENMAN  
525 West Monroe Street  
Suite 1600  
Chicago, Illinois 60661-3693  
Facsimile: (312) 902-1061

(January 15, 2004)



310493.00001

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
LAGODZINSKI, ET AL.	:	Examiner: L. TRAN
	)	
Application No.: 09/582,890	:	Group Art Unit: 3721
	)	
Filed: July 7, 2000	:	
	)	
For: POWER OPERATED PISTON	:	March 10, 2004
TOOL WITH PISTON AUTOMATIC	:	
RETURN	:	
	)	

Mail Stop After Final  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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PETITION UNDER 37 C.F.R. § 1.136(a)

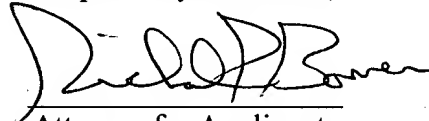
Sir:

Applicants petition the Commissioner of Patents to extend the time for response to the Office Action dated September 10, 2003 for one (1) additional month from February 10, 2004 to March 10, 2004. Two previous extensions of time were filed January 6 and February 10, 2004.

Please charge Deposit Account No. 50-1710 \$265.00 to cover the fee for the extension under 37 C.F.R. § 1.17. Any deficiency in or overpayment of this fee should be charged or credited to Deposit Account No. 50-1710. A duplicate copy of this petition is enclosed.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3507. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Attorney for Applicants  
Registration No. 31,588

PATENT ADMINISTRATOR  
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